(29)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No.7155 of 2007

PETITIONER Naimish Kumar Patel, s/o late Tarachand Patel, aged about 34 years, r/o Main Road, Dheemarapur, Raigarh, Distt. Raigarh (C.G).

Versus

RESPONDENTS

1. State of Chhattisgarh, through Secretary, School Education Department, D.K.S. Bhawan, Raipur (C.G).
2. The Joint Director, Lok Shikshan, Bilaspur (C.G).
3. District Education Officer, Raigarh, District Raigarh (C.G).
4. Block Education Officer, Block Pussoure Raigarh, Distt. Raigarh (C.G).

(Writ Petition under Article 226 of the Constitution of India)

Appearance:

Shri Dhani Ram Patel, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer, for the State/ respondents on advance copy.

ORAL ORDER
(06.12.2007)

SUNIL KUMAR SINHA, J,

Heard on admission.

Shri Patel submits that the petitioner was appointed to the post of Assistant Grade-III on 02.3.1994. There was a condition in his appointment order that he will have to pass Hindi Typing Examination within a period of 1½ years from the date of appointment. He submits that the petitioner could not pass Hindi typing examination in the prescribed time, but he has passed that examination in the year 2006. He further submits that due to non-passing of Hindi typing examination, increments and other service benefits are not being given to the petitioner and he is working on the substantive pay which was admissible in his case at the time of appointment. For the present, he submits that after passing Hindi typing examination in the year 2006, at least

now the petitioner is entitled to get other benefits. However, he submits that this petition may be disposed of with a direction to the petitioner to file a representation before the concerned authority and the concerned authority may be directed to dispose of the said representation filed by the petitioner after giving due consideration to the points raised in the representation. This limited prayer made by learned counsel for the petitioner is not opposed by learned State counsel.

The same is allowed.

It is observed and directed that the petitioner, if so advised, may file a detailed representation along-with a copy of this writ petition and copy of this order before the concerned authority within a period of 4 weeks from today and if such a representation is filed, the said authority shall dispose of the same in an objective manner, at the earliest.

With the aforesaid observations, this petition stands finally disposed of.

C.c. as per rules.

Sd/-
Sunil Kumar Sinha
Judge

/Rao/